

The 15th January, 1971

**No. SE/B&R/CC/11.**—Whereas it appears to the Governor of Haryana that land is likely to be required to be taken by the Government, at the public expense, for a public purpose, namely, for New Haryana State Highway direct road from mile 8 of Ambala-Jagadhri road to Panchkula passing through Haryana territory (Section Nandna Choe to Nada) in Ambala District, it is hereby notified that the land in the locality described below is likely to be required for the above purpose.

This notification is made under section 4 of the Land Acquisition Act, 1894, to all whom it may concern.

In exercise of the powers conferred by the aforesaid section, the Governor of Haryana is pleased to authorise the officers for the time being engaged in undertaking, with their servants and workmen, to enter upon and survey any land in the locality and do all other acts required or permitted by the section.

Further in exercise of the powers conferred by the said Act, the Governor of Haryana is pleased to direct that action under section 17(2) (B) or (c) as the case may be shall be taken in this case on the grounds of urgency and that the provisions of section 5(A) shall not apply in regard to this acquisition.

Serial No.	Name of District	Name of Tehsil	Name of Village	Area in acres	Khasra Nos.
1	Ambala	Naraingarh	(1) Naggal Moginand No. 229	0.97	603
		Do	(2) Jeuriwala No. 230	5.90	3
		Kalka	(3) Nada Sahib No. 199	6.79	288, 335, 95, 151, 153, 156, 157, 160, 170, 171, 172, 173, 185, 186, 193, 228, 234, 236, 237, 238, 239, 240, 241, 242, 243, 245, 246, 283, 284, 285, 286, 287, 288.
Total				13.66	

The 23rd March, 1971

**No. SE/B&R/CC/15.**—Whereas it appears to the Governor of Haryana that land is likely to be required to be taken by the Government, at the public expense, for a public purpose, namely, for constructing new Haryana State Highway Direct from Ambala Cantt. to Chandigarh passing through Haryana Territory Section Bypass at Barwala in Ambala District, it is hereby notified that the land in the locality described below is likely to be required for the above purpose.

This notification is made under section 4 of the Land Acquisition Act, 1894, to all whom it may concern.

In exercise of the powers conferred by the aforesaid section, the Governor of Haryana is pleased to authorise the officers for the time being engaged in undertaking, with their servants and workmen, to enter upon and survey any land in the locality and do all other acts required or permitted by the section.

Further in exercise of the powers conferred by the said Act, the Governor of Haryana is pleased to direct that action under section 17(2) (B) or (c) as the case may be shall be taken in this case on the grounds of urgency and that the provisions of section 5(A) shall not apply in regard to this acquisition.

Serial No.	Name of District	Name of Tehsil	Name of Village	Area in acres	Remarks
1	Ambala	Kalka	Bataur No. 247	0.70	R. D. 350 to 665 161 17
					5/1, 5/2 16, 21, 114
					Total Khasra No. 5

Serial No.	Name of District	Name of Tehsil	Name of Village	Area in acres	Remarks
2	Ambala	Kalka	Barwala No. 246 Chuk Tashkish, Sijoti-Doyem	3.07	R.D. 665 to 2,000
			Total	3.77	18 20/2, 21/1, 21/2, 27, 28, 29 30 1/1, 1/2, 2, 8/2, 9/1, 13, 14/1, 14/2, 14/3, 15/6, 16/1, 16/2, 17, 67, 83, 84, 85 Total 24 Nos.

K. L. KAPOOR,  
Superintending Engineer,  
Construction Circle, P.W.D., B&R Branch  
Haryana, Chandigarh.

### TOWN AND COUNTRY PLANNING DEPARTMENT

#### (URBAN ESTATES)

The 24th March, 1971

No. LAC-71-NTLA/732.—Whereas it appears to the Governor of Haryana that land is likely to be needed by the Government, at the public expense, for a public purpose, namely, for the planned development of the area of Sector No. 19 (Nineteen), in village Faridabad, Tehsil Ballabgarh, District Gurgaon, it is hereby notified that the land specified below is likely to be required for the aforesaid purpose.

This notification is made under the provisions of section 4 of the Land Acquisition Act, 1894, to all whom it may concern.

In exercise of the powers conferred by the aforesaid section, the Governor of Haryana hereby authorises the officers for the time being engaged in the undertaking, with their servants and workmen, to enter upon and survey any land in the locality and do all other acts required or permitted by that section.

Any person interested who has objection to the acquisition of any land in the locality may, within thirty days of the publication of this notification, file objections, if any, in writing before the Land Acquisition Collector, Urban Estates, Haryana, Room No. 23, 30-Bays Building, Sector No. 17, Chandigarh.

Plans may be inspected in the following offices, namely :—

1. Land Acquisition Collector, Urban Estates, Haryana, Room No. 23, 30-Bays Building, Sector 17, Chandigarh.
2. Director of Urban Estates, Haryana, Kothi No. 231, Sector No. 18-A, Chandigarh.
3. Estate Officer, Faridabad.
4. Deputy Commissioner, Gurgaon.
5. Tehsildar, Ballabgarh.

#### SPECIFICATION

District	Tehsil	Locality/ Village and H.B. No.	Area in acres	Khasra Nos.
Gurgaon	Ballabgarh	Faridabad H.B. No. 123	249.08	<div style="text-align: right;">B B B</div> 34/1 min South (0—12—10); 34/2 min South (0—3—11); 35/1 min South (0—8—8); 35/2 min South (1—11—17); 36, 37 min South (1—16—0); 38 min South (1—6—8); 53 min South (1—3—9); 89/1 min South (4—0—2); 89/2; 90; 2072/91/1 min South (1—7—11); 2073/91; 92 min

District	Tehsil	Locality/village and H. B. No.	Area in acres	Khasra No.
Gu gaon— concl'd.	Ballabgarh— concl'd.	Faridabad H. B. No. 123—concl'd	South (0—4—18), 93 min 94, 95, 96, 97, 98, 99, 100, 101, 102 min South (2—5—0), 103 min South (0—11—6), 104, 105 min South (0—6—8), 108/1 min South (3—6—14), 108/2, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 2074/134, 2075/134, 135, 136, 137, 138, 139, 140, 141, 142/1, 142/2, 143, 144/1, 144/2, 145, 146, 147, 148, 149, 2005/150, 2006/150, 2007/151, 2008/151, 2009/151, 152/1, 152/2, 153, 154, 155, 156, 157/1, 157/2, 157/3, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176/1, 176/2, 2042/179, 177, 178, 2043/179, 2044/179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190 min South (0—19—0), 191 min South (3—17—0), 2077/192/2/1 min South (0—10—0), 192/2/2, 193, 194/1, 194/2, 195, 196, 197/1, 197/2, 198, 199, 200/1, 200/2, 201, 2078/202/1/1, 2078/202/1/2, 2079/202/2/1, 2079/202/2/2, 203, 204, 205, 206, 207/1, 207/2, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256/1, 256/2, 256/3, 257, 258, 259, 260, 321, 322, 2085/1930/323, 2086/1930/323, 2087/1931/323/1/1, 2087/1931/323/1/2, 324, 325, 2088/1931/323/2/1, 2088/1931/323/2/2, 326, 327, 328, 329, 330, 331, 332/2, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347 Min North West (1—6—13), 348, 349, 351, 352, 353, 354, 355, 356, 357, 358/2, 360/2/2, 361, 362, 363, 364, 365, 366, 367, 368, 369, 1542, Min North (0—6—8), 1541	

No. LAC-71-NTLA/734.—Whereas it appears to the Governor of Haryana that land is likely to be needed by the Government at the public expense, for a public purpose, namely, for the planned development of the area of Sector No. 19 (Nineteen), in village Fatehpur Chandela, H.B. No. 122, tehsil Ballabgarh, district Gu gaon, it is hereby notified that the land specified below is likely to be required for the aforesaid purpose.

This notification is made under the provisions of section 4 of the Land Acquisition Act, 1894, to all whom it may concern.

In exercise of the powers conferred by the aforesaid section, the Governor of Haryana hereby authorises the officers for the time being engaged in the undertaking with their servants and workmen, to enter upon and survey any land in the locality and do all other acts required or permitted by that section.

Any person interested who has objection to the acquisition of any land in the locality may within thirty days of the publication of this notification file objections, if any, in writing before the Land Acquisition Collector, Urban Estates, Haryana, Room No. 23, 30-Bays Building, Sector No. 17, Chandigarh.

Plans may be inspected in the following offices, namely :—

1. Land Acquisition Collector, Urban Estates, Haryana, Room No. 23, 30-Bays Building, Sector 17, Chandigarh.
2. Director of Urban Estates, Haryana, Kothi No. 231, Sector No. 18-A, Chandigarh.
3. Estate Officer, Faridabad.
4. Deputy Commissioner, Gurgaon.
5. Tehsildar, Ballabgarh.

#### SPECIFICATION

District	Tehsil	Locality/ village & H.B. No.	Area in acres	Rectangle/Killa Number			
Gurgaon	Ballabgarh	Fatehpur Chandela H.B. No. 122	0.49	22 21	23 25/2	32 5/3	33 1, 26

No. LAC-71-NFLA/735.—Whereas it appears to the Governor of Haryana that land is likely to be needed by the Government at public expense, for a public purpose, namely, or the planned development of the area of Sector No. 19 (Nineteen), in village Daultabad, Tehsil Ballabgarh, District Gurgaon, it is hereby notified that the land specified below is likely to be required for the aforesaid purpose.

This notification is made under the provisions of section 4 of the Land Acquisition Act, 1894, to all whom it may concern.

In exercise of the powers conferred by the aforesaid section, the Governor of Haryana hereby authorise the officers for the time being engaged in the undertaking with their servants and workmen, to enter upon and survey any land in the locality and do all other acts required or permitted by that section.

Any person interested who has objection to the acquisition of any land in the locality may within thirty days of the publication of this notification file objection, if any, in writing before the Land Acquisition Collector, Urban Estates, Haryana, Room No. 23, 30-Bays Building, Sector No. 17, Chandigarh.

Plans may be inspected in the following offices, namely :—

1. Land Acquisition Collector, Urban Estates, Haryana, Room No. 23, 30-Bays Building, Sector No. 17, Chandigarh.
2. Director of Urban Estates, Haryana, Kothi No. 231, Sector No. 18-A, Chandigarh.
3. Estate Officer, Faridabad.
4. Deputy Commissioner, Gurgaon.
5. Tehsildar, Ballabgarh.

#### SPECIFICATIONS

District	Tehsil	Locality/Village and H.B. No.	Area in acres	Rectangle/ Killa Numbers	
Gurgaon	Ballabgarh	Daultabad H.B.No. 121	22.50 acres	1 16, 17, 22, 23, 24	2 18 min, West (0.10 Mrla.),

District	Tehsil	Locality/village and H. B. No.	Area in acres	Khasra No.
			2	
		21, 22/1, 22/2, 23 Min West (0—12 Marla), 26		
			3	
		1/1, 1/2, 1/3, 2/1, 2/2, 3 Min West (0—12 Marla),		
			3	
		8/1 Min West (0—4 Marla), 8/2 Min West (0—1		
			3	
		Marla), 9/1, 9/2, 9/3, 10/1, 10/2, 11/1 Min North		
			3	
		(1—7 Marla), 12/2 Min North (0—3 Marla), 13/1		
			3	4
		Min North (0—0 Marla), 13/3 1, 2, 3/1, 3/2, 4		
			4	
		5/1, 5/2, 6, 7/1, 7/2, 7/3, 8/1, 8/2, 9/1, 9/2, 10		
			4	
		11 Min North (K 2—16 Marla), 12/1 Min North		
			4	
		(K 2—11 Marla), 13/1 Min North (K 2—8 Marla),		
			4	
		14/1, 14/2 Min North (0—10 Marla) 15 Min North		
			4	
		and khasra Nos. 18, 19, 20, (K 1—10 Marla) 26		
		21, 22, 26 Min North (K 1—5 Marla), 35 Min North (0—18 Marla), 39 Min North (0—14), 45, 37.		
			3	
		12/1 Min North (0—1 Marla)		

The 26th March, 1971

No. LAC-71-NTLA/772.—Whereas it appears to the Governor of Haryana that land is likely to be required to be taken by Government, at the public expense, for a public purpose, namely for Brick Kiln in the area of Ballabgarh-Faridabad Controlled Area in village Baroli, H.B. No. 116 in tehsil Ballabgarh, district Gurgaon, it is hereby notified that the land in village described below is likely to be required for the above purpose.

This notification is made under the provisions of section 4 of the Land Acquisition Act, 1894, to all whom it may concern.

In exercise of the powers conferred by the aforesaid section, the Governor of Haryana is pleased to authorise the officers for the time being engaged in undertaking with their servants and workmen, to enter upon and survey any land in the locality and do all other acts required or permitted by that section.

Any person interested who has any objection to the acquisition of any land in the locality may within thirty days of the publication of this notification file an objection in writing before the Land Acquisition Collector, Directorate of Urban Estates, Haryana, Sector No. 17, Chandigarh.

## SPECIFICATION

District	Tehsil	Locality/ Village and H.B. No.	Area in acres	Rectangle/Killa No.
Gurgaon	Ballabgarh	Baroli, H.B. No. 116	18.99	37 16/1, 16/2, 16/3, 17/1, 17/2, 18, 19/1, 20/1, 22/3, 23, 24, 25 38 18, 19/1, 19/2, 20, 21, 22, 23 39 1/1, 1/2, 2, 10, 11 40 3/2, 3/3, 4, 5, 6/1, 6/2, 7/1, 8/1, 14/2, 15, 16/1

No. LAC-71-NTLA/774.—Whereas it appears to the Governor of Haryana that land is likely to be required to be taken by Government, at the public expense, for a public purpose, namely, for brick-kiln in the area of Ballabgarh-Faridabad controlled area in village Faizpur Majra Nimka, Hadbast No. 98 in tehsil Ballabgarh, district Gurgaon, it is hereby notified that the land in village described below is likely to be required for the above purpose.

This notification is made under the provisions of section 4 of the Land Acquisition Act, 1894, to all whom it may concern.

In exercise of the powers conferred by the aforesaid section, the Governor of Haryana is pleased to authorise the officers for the time being engaged in undertaking with their servants and workmen, to enter upon and survey and land in the locality and do all other acts required or permitted by that section.

Any person interested who has any objection to the acquisition of any land in the locality may within thirty days of the publication of this notification file an objection in writing before the Land Acquisition Collector, Directorate of Urban Estates, Haryana, Sector No. 17, Chandigarh.

## SPECIFICATION

District	Tehsil	Locality/ Village and H.B. No.	Area in acres	Rectangle/Killa No.
Gurgaon	Ballabgarh	Faizpur Majra Nimka, H.B. No. 98	15.0	7 18, 22, 23 15 8, 9, 10, 11, 12/1, 12/2

District	Tehsil	Locality/ Village & H.B. No.	Area in acres	Rectangle/Killa Number
Gurgaon	Ballabgarh	Faizpur Majra Nimka, H.B. No. 98	15.0	15 13/2, 18/1, 19, 20, 21/1/1, 15 21/1/2, 21/2, 22, 23, 15 16 13/1, 18/2, 15, 16,

M.L. BATRA, Secy.

## LABOUR DEPARTMENT

16th  
The—March, 1971  
22nd

No. 2725-1Lab-70/7776.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Labour Court, Haryana, Rohtak in respect of the dispute between the workmen and the management of M/s Nirula Bros. (P) Ltd., Delhi Road, Gurgaon.

BEFORE SHRI P. N. THUKRAL, PRESIDING OFFICER, LABOUR COURT, HARYANA,  
ROHTAK

Reference No. 20 of 1970

between

SHRI BUDH RAM WORKMAN THROUGH GURGAON ENGINEERING WORKERS UNION, HOUSE  
No. 214, FOUR MARLA COLONY, GURGAON AND THE MANAGEMENT OF M/S  
NIRULA BROS. (P) LTD., DELHI ROAD, GURGAON

Present—

Shri Shardha Nand, for the workman.

Shri L. C. Arora, for the management.

## AWARD

Shri Budh Ram was in the service of M/s Nirula Bros. (P) Ltd., Delhi Road, Gurgaon. His services were terminated and this gave rise to an industrial dispute. Accordingly, the Governor of Haryana, in exercise of the powers conferred by clause (c) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947, referred the following dispute for adjudication to this Court,—vide Gazette notification No. ID/GG/2C-70/22960, dated 30th July, 1970 :—

“Whether the termination of services of Shri Budh Ram was justified and in order ? If not, to what relief is he entitled ?

On receipt of the reference usual notices were ordered to be issued to the parties by my learned predecessor Shri O. P. Sharma for 18th August, 1970. On that date Shri Shardha Nand was present, for the workman and Shri L. C. Arora was present, for the management. Since the workman filed his claim statement on that very day the case was adjourned to 23rd September, 1970 to enable the management to file their written statement. On 23rd September, 1970 nobody appeared on behalf of the management although the case was taken up several times. My learned predecessor Shri O. P. Sharma, therefore, directed the workman to produce ex-parte evidence in support of his case on 22nd October, 1970. On 22nd October, 1970, the representative of the workman stated that the sister of the workman was ill and requested for adjournment. As prayed the case was adjourned to 23rd October, 1970. On 23rd October, 1970 the representative of the workman stated that the sister of the

workman was seriously ill. My learned predecessor, therefore, adjourned the case for evidence of the workman to 24th November, 1970. On 24th November, 1970 the ex-parte evidence was recorded by me. After evidence had been recorded an application was made on behalf of the management at 1.30 P.M. for obtaining a date for the hearing of the case. It was stated that the management understood that the next date fixed in this case was 13th September, 1970 and on that date they tried to locate the place where the Labour Court was being held and found that the Court was not being held at Gurgaon on that date. It is further stated that the management then came to know from the other party that the next date fixed was 21st October, 1970 and they attended on 21st October, 1970 and 22nd October, 1970 and found that no Court was being held at Gurgaon on either of these dates. The management enclosed a copy of the written statement and prayed that the next date fixed for the hearing of the case may be intimated to them. This application is dated 22nd November, 1970. As already pointed out this application was actually given on 24th November, 1970. A copy of this application was, therefore, handed over to the representative of the workman who was still present and the case was adjourned to 21st December, 1970 for the reply.

The application was opposed by the representative of the workman and it was stated that the management has come forward with an application asking for the date after more than a month and after the evidence had been recorded. It has submitted that the management had not cared to enquire about the date earlier and the application should, therefore, be dismissed. Since the management in substance desired that the ex-parte proceedings ordered to be taken against them on 23rd September, 1970 be set aside, the following issue was framed :—

"Whether there is sufficient ground for setting aside the ex-parte proceeding against the management ?

The management in their application have not given any explanation as to why no application was made till 24th November, 1970 although from their point of view the case was fixed for 13th September, 1970, the case was adjourned for hearing the arguments of the management and 7th January, 1971 was fixed for the purpose. On 7th January, 1971 the management came up with another application in which they made a formal prayer for setting aside the ex-parte proceedings. In this application it is stated that they had then come to know that the actual date fixed in the case was 23rd September, 1970 and since there was a bonafide mistake on the part of the management, therefore, the delay in making the application may be condoned and the management be allowed to file their written statement and participate in the proceedings.

I have carefully considered the submission of the learned representative of the management and in my opinion there is absolutely no justification for re-opening the case and start the proceedings denovo by permitting the management to file their written statement. It what the management have submitted is true that they understood that the next date fixed in the case was 13th September, 1970, there is no justification why the application for obtaining the next date of the hearing was made on 24th November, 1970, i.e., after a lapse of more than two months. In case the management wanted to know the date which had been fixed in the case they could simply make an application for the inspection of the file and note down all the proceedings which had taken place in their absence and then make an appropriate application for setting aside the ex-parte proceedings if it was felt that there was any bonafide mistake on their part and there was sufficient cause for setting aside the ex-parte proceedings. Further even if the application, dated 24th November, 1970 is taken as an application for setting aside the ex-parte proceedings, there is no explanation why the management did not make any application to the Court soon after 21st October, 1970 or 22nd October, 1970 when they found that there was no Court on either these dates. The perusal of the file shows that the case was taken up on 22nd October, 1970 by my learned predecessor but nobody was present on behalf of the management and the case was adjourned to 23rd October, 1970. If the representative of the management really attended on 22nd October, 1970 but could not locate the Court then an application for ascertaining the next date of the hearing could have been made immediately but the management took no steps and leisurely came to the Court on 24th November, 1970 at 1.30 P.M. and prayed that the next date be intimated to them. This shows utter lack of interest on the part of the management in the prosecution of the case. Moreover Industrial Disputes Punjab Rules, 1958 do not make any provision for setting aside ex-parte proceedings. On the contrary Rule 22 of the Industrial Disputes Punjab Rules, 1958 provides that if any party to proceedings before the Court fails to attend or to be represented without any sufficient cause the Court may proceed as if the party had duly attended or had been represented.

Even if it were possible to hold that there was a genuine mistake on the part of the management in noting the next date, it is not possible to lose sight of the fact that a formal application to set aside the ex-parte proceedings was made as late as 7th January, 1971. Although no period of limitation is prescribed for filing applications for setting aside ex-parte proceedings, it is not in the interest of justice to encourage latches in making such applications. If the management genuinely thought that the next date fixed was 13th September, 1970 and not 23rd September, 1970 then as a prudent party they should have made an application to the Court that they had attended on 13th September, 1970 but the Court had not been held and, therefore, the next date be intimated. The management can not take advantage of their own fault and expect the Court to inform them of the next date fixed if they did not chose to attend on the date fixed. It is not stated on behalf of the management that the representative of the workman had not been giving him correct information about the dates. If the representative of the management actually tried to locate the Court on 21st October, 1970 or 22nd October, 1970 at Gurgaon as stated by them and he found that the Court was not being held then it was all the more necessary for the management to ascertain the next date by approaching the Court by making a proper application. There can not possibly be any justification for the management to sleep over the matter till 24th November, 1970 and then make an innocent



looking application requesting that the date fixed in the case may be intimated. In my opinion, therefore, there is no sufficient cause for setting aside the *ex parte* proceedings and re-open the case and permit the management to file their written statement after the workman had produced his evidence in compliance to the orders of the Court.

So far the merits of the case are concerned it is satisfactorily established by the evidence of the workman that he was engaged by the respondent company in June, 1969, at Rs 75 per month and his services were terminated on 19th March, 1970, without disclosing to him the reasons or giving him any opportunity to show cause. The management in the written statement filed by them along with their application for ascertaining the date have alleged that the workman Shri Budha Ram was engaged for a fixed term from 19th September, 1969 to 18th March, 1970. It is not stated in the written statement that the work for which Shri Budha Ram was engaged was of a temporary nature which came to an end on 18th March, 1970, and his services were, therefore, no longer needed after 18th March, 1970. The termination of the services of Shri Budha Ram workman was, therefore, not justified and he is entitled to be re-instated with continuity of service and full back wages. I give my award accordingly. No order as to costs.

Dated 1st March, 1971.

P. N. THUKRAL,  
Presiding Officer,  
Labour Court, Haryana, Rohtak.

No. 457, dated Rohtak, the 8th March, 1971

Forwarded (four copies) to the Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947.

P. N. THUKRAL,  
Presiding Officer,  
Labour Court, Haryana, Rohtak.

The 17th March, 1971

No. 27341-Lab-70/7346.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Labour Court, Haryana, Rohtak, in respect of the dispute between the workman and the management of M/s Ametee Machine Tools (P) Limited, Faridabad.

**BEFORE SHRI P.N. THUKRAL, PRESIDING OFFICER, LABOUR COURT, ROHTAK**

**Reference No. 163/70**

*Between*

**THE WORKMAN AND THE MANAGEMENT OF M/S AMETEEP MACHINE TOOLS (P) LIMITED,  
FARIDABAD**

*Present.—*

- (1) Shri Roshan Lal Sharma, on behalf of the workman.
- (2) Shri B.S. Sapra, on behalf of the management.

#### **AWARD**

Shri Ram Charan was in the services of M/s Ametee Machine Tools Pvt. Ltd., Faridabad. His services were terminated and this gave rise to an industrial dispute. Accordingly the Government of Haryana in exercise of the powers conferred by clause (c) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947, referred the following dispute to this court for adjudication,—*vide* GOVERNMENT GAZETTE notification No. ID/FD/32-A-70/29270-74, dated 18th September, 1970.

Whether the termination of services of Shri Ram Charan as justified and in order ? If not, to what relief is he entitled.

On receipt of the reference usual notices were issued to the parties by my learned predecessor Shri O.P. Sharma in response to which statement of claim was filed on behalf of the workman and the management filed their written statement. It was pleaded on behalf of the Management that due to unforeseen circumstances Shri Ram Charan himself submitted his resignation on 20th June, 1970, and has taken the amount due to him in full and final settlement of his claim. The pleading of the parties gave rise to the following issues :—

- (1) Whether the workman Shri Ram Charan resigned his post.

(2) Whether Shri Ram Charan has settled his accounts and received the amount due to him in full and final settlement?

Shri B.S. Sapra representative of Management has proved a letter of resignation Exh. MW 1/1 which was given by the workman. In the rebuttal the workman has not led any evidence and has not been cared to appear as witness to prove the allegations made on his behalf that his services were terminated without any prior notice or reason and that the workman protested against the termination of his services. Accordingly I find this issue in favour of the Management.

#### Issue No. 2

Shri B.S. Sapra has stated that a sum of Rs 93.75 paise were due to the workman on account of his pay for the month of April and that Rs 12.69 paise were due to him on account of pay for the days he worked in the month of May. Shri Sapra further stated that sum of Rs 31.45 paise were due to the workman on account of overtime. All the amount due to him was paid and his signatures on the vouchers were duly taken. The workman also gave in writing that he had fully settled his account. This writing is marked Ext. MW 1/3. He withdrew his demand notice, vide letter Ext. MW 1/4. The workman has not led any evidence in rebuttal. On this point as well, I therefore find this issue also in favour of the Management. Shri Sapra has also produced letter Ext. MW 1/2 which was received by the Management in which the workman has specifically stated that he has no dispute with the Management and he has not authorised any labour union or its President Shri Roshan Lal to raise any dispute against the Management. In view of these facts it must be held that the management were not responsible for termination of services of the workman Shri Ram Charan. I give my award accordingly.

The 1st March, 1971

P.N. THUKRAL,  
Presiding Officer,  
Labour Court, Rohtak  
(Camp—Faridabad).

No. 453, dated 8th March, 1971

This award is submitted to the Secretary to Government, Haryana Labour and Employment Department Chandigarh as required under section 15 of the Industrial Disputes Act, 1947.

P.N. THUKRAL,  
Presiding Officer,  
Labour Court, Rohtak.

The 17th/24th March, 1971

No. 2740-1Lab-70/7344.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Labour Court, Haryana, Rohtak, in respect of the dispute between the workmen and the management of M/s Delite Optical Industries, Bahadurgarh (Rohtak).

BEFORE SHRI P. N. THUKRAL, PRESIDING OFFICER, LABOUR COURT, HARYANA, ROHTAK

Reference No. 211 of 1970

between

SHRI MISHRI LAL, C/O BAHADURGARH POTTERIES AND GENERAL LABOUR UNION,  
BAHADURGARH AND THE MANAGEMENT OF M/S DELITE OPTICAL INDUSTRIES,  
BAHADURGARH (ROHTAK).

Present:—

Shri Rajinder Singh, for the workman.

Nemo. for the management.

#### AWARD

Shri Mishri Lal was in the service of M/s Delite Optical Industries, Bahadurgarh (Rohtak). According to the workman his services have been wrongfully terminated and this gave rise to an industrial dispute. Accordingly the Governor of Haryana, in exercise of the powers conferred by clause (c) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947, referred the following dispute for adjudication to this Court,—vide Gazette Notification No. ID/RK/178-A-70/38701, dated 20th November, 1970.

“Whether the termination of services of Shri Mishri Lal was justified and in order. If not; to what relief is he entitled?”

On receipt of the reference usual notices were issued to the parties in response to which the management submitted their written statement in which it was stated that the workman had resigned his job of his own accord. The original resignation was also filed and marked Ex. M. 1. The workman admits that he wrote this resignation but says that the management asked him to write down his resignation on the promise that his accounts would be settled. The workman further says that the resignation was got antedated. It is not the plea of the workman that any coercion or undue influence was used in order to compel him to write the resignation. Under these circumstances it can not be held that the management were responsible for terminating his services and so the question of the justification of the termination of his services by the management does not arise. I give my award accordingly.

Dated 25th February, 1971.

P. N. THUKRAL,  
Presiding Officer,  
Labour Court, Haryana,  
Rohtak.

No. 442, dated, Rohtak, the 1st March, 1971

Forwarded (four copies) to the Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947.

P. N. THUKRAL,  
Presiding Officer,  
Labour Court, Haryana,  
Rohtak.

B. L. AHUJA,  
Commissioner for Labour and Employment and Secy.

**HARYANA PUBLIC WORKS DEPARTMENT  
BUILDINGS AND ROADS BRANCH**

The 17th March, 1971

No. 28-HA/63-HC/266.—Whereas it appears to the Governor of Haryana that land is likely to be required to be taken by Government, at public expense, for a public purpose, namely, Constructing a Road from village Khanda Kheri to Ugalan via Village Kani Kheri in Hissar District, it is hereby notified that the land in the locality described below is likely to be acquired for the above purpose.

This notification is made under the provision of section 4 of the Land Acquisition Act, 1894 to all whom it may concern.

In exercise of the powers conferred by the aforesaid section, the Governor of Haryana is pleased to authorise the officers for the time being engaged in the undertaking, with their servants and workmen, to enter upon and survey any land in the locality and do all other acts required or permitted by that section.

Any person interested who has any objection to the acquisition of any land in the locality may within 30 days of the publication of this notification, file an objection in writing before the Land Acquisition Collector, Haryana, P. W. D., B & R Branch, Ambala Cantt.

**SPECIFICATION**

District	Tehsil	Locality	Area in acres	Remarks
Hissar	Hansi	Khanda Kheri	8.27	As demarcated at site.
Hissar	Hansi	Ugalan	2.07	-do- on the Index Plan and
Hissar	Hansi	Kani Kheri	14.50	-do- generally going
			24.84	from west to south-east direction.

M. G. UPPAL,  
Superintending Engineer, Hissar Circle,  
P.W. D., B & R Br., Hissar.